

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

CHERYL A. ELKINTON,

Plaintiff,

v.

OPINION AND ORDER

12-cv-681-wmc

PRESIDENT OF THE UNITED STATES,
U.S. MILITARY, U.S. DEPT. OF DEFENSE,
MILITARY MARKETING ASSOC., and
VETERANS AFFAIRS,

Defendants.

CHERYL A. ELKINTON,

Plaintiff,

v.

OPINION AND ORDER

12-cv-694-wmc

PRESIDENT OF U.S. AND CABINET,
U.S. DEPT OF TRANSPORTATION, U.S.
DEPT OF HEALTH AND HUMAN SERVICES,
U.S. DEPT OF FOOD AND DRUG
ADMINISTRATION, U.S. ENVIRONMENTAL
SAFETY COMMISSION, U.S. TREASURY,
U.S. DEPT. OF LABOR, and USDA (SERVICE
CENTER NATURAL RESOURCES
CONSERVATION SERVICE,

Defendants.

CHERYL A. ELKINTON,

Plaintiff,

v.

OPINION AND ORDER

12-cv-717-wmc

U.S. PRESIDENT BARAK OBAMA,
MEMBERS OF CONGRESS, and
SECRETARIAL CABINET,

Defendants.

CHERYL A. ELKINTON,

Plaintiff,

OPINION AND ORDER

v.

12-cv-769-wmc

PRESIDENT OF US AT ALL, and
BARACK OBAMA,

Defendants.

CHERYL A. ELKINTON,

Plaintiff,

OPINION AND ORDER

v.

13-cv-166-wmc

U.S. ENVIRONMENTAL PROTECTION
AGENCY, U.S. DEPARTMENT OF
AGRICULTURE, TRADE AND CONSUMER
PROTECTION, and THE PRESIDENT OF THE
UNITED STATES,

Defendants.

On November 5, 2012, this court issued an order denying plaintiff Cheryl A. Elkinton leave to proceed on four complaints against President Barack Obama and other government officials and agencies and dismissing the complaints for lack of subject matter jurisdiction. (Dkt. #5.)¹ Elkinton appealed the court's decision to the Seventh Circuit Court of Appeals, and on January 25, 2013, the Court dismissed her appeal for failing to comply with Circuit Rule 3(c), requiring a docketing statement be filed within seven days of the filing of the notice of appeal. (Dkt. ##7, 12.) On April 5, 2013, the court similarly dismissed a fifth lawsuit, involving similar concerns. (No. 13-cv-166 dkt. #4.)

¹ Unless otherwise noted the citations are to No. 12-cv-681.

Recently, Elkinton filed a letter to the court in all four lawsuits, apparently seeking reconsideration of this court's dismissal of these claims, challenging, in part, this court's finding that the complaints were "frivolous." (Dkt. #13.)² The court has no doubt that the claims raised by Elkinton in these lawsuits are significant, particularly to her. By using the word "frivolous" the court does not mean to imply otherwise. Rather, the court uses "frivolous" to describe claims for which our legal system does not provide relief. Because the relief Elkinton seeks here is not available under the law, it is in that sense frivolous or without a legal basis. As explained in the court's April 5, 2013, order denying her leave to proceed on her No. 13-cv-166 complaint, it is also for this reason that further filings of lawsuits seeking relief this court cannot legally provide may result in sanctions.

ORDER

IT IS ORDERED that Cheryl Elkinton's September 5, 2013, letter to the court if construed as a motion for reconsideration (No. 12-cv-681 dkt. #13; No. 12-cv-694 dkt. #13; No. 12-cv-717 dkt. #13; No. 12-cv-769 dkt. #13; No. 13-cv-166 dkt. #6) is DENIED.

Entered this 7th day of October, 2013.

BY THE COURT:

/s/

WILLIAM M. CONLEY
District Judge

² Elkinton also raises concerns about the economy, homelessness, and the environment, among other worthy concerns.